$250,000 Emergency Action Memorandum

SUBJECT: Action Memorandum for Emergency Removal Actions at the Fairfax Street Wood Treater Site

FROM: Rick Jardine, OSC
Emergency Response Section, Region 4

THRU: Matt Taylor, Chief
Emergency Response Section, Region 4

TO: File

I. Purpose

The purpose of this memorandum is to document the decision to initiate and continue emergency response actions described herein for the Fairfax Street Wood Treaters chromated copper arsenate discharge in Jacksonville, Duval County, Florida under the $250,000 delegated emergency removal action authority.

II. Site Information

A. Site Description

Site Name: Fairfax Street Wood Treater
Superfund Site ID (SSID): B4B5
CERCLIS Number: FLD000623041
Site Location: 2610 Fairfax Street, Jacksonville, Duval County, Florida
Lat/Long: N 30-21-15/W 81-41-11
Potentially Responsible Party (PRP): Wood Treaters LLC
NPL Status: Non-NPL
Removal Start Date: 10AUG10

B. Site Background

1. Removal Site Evaluation

On August 10, 2010 Kenton Brown, SOSC for FDEP contacted both the NRC and EPA to identify that the former wood treating facility described above was no longer in operation and was releasing contaminated storm water runoff to Moncrief Creek. Further, Mr. Brown requested federal assistance in minimizing or eliminating the flow of the contaminated material from the site. The facility had apparently been closed for approximately two weeks. During that time, rainfall that had landed on the drip pad and flowed into the process area and filled the storage tank farm secondary containment system. At the time of his notification, storm water had overtopped

the containment structure, flowed through the site lagoon and into Moncrief Creek.

2. Physical location and Site characteristics
The Site lies within a residential neighborhood. The Site is bounded to the north by a CSX rail line, to the east (across Fairfax Street) by a church building and single-family homes, to the south more homes, and to the west by an elementary school and more homes.

3. Release or threatened release into the environment of a hazardous substance, pollutant or contaminant.
EPA witnessed the runoff from the site as well as sampled the accumulated contaminated water in the tank containment structure, the site lagoon, and several of the storage tanks on site. Laboratory data indicated that the waste waters contained copper, chromium, and arsenic, which are hazardous substances as defined by section 101(14) of CERCLA.

III. Threats to Public Health Welfare or the Environment

A. Nature of Actual or Threatened Release of Hazardous Substances, Pollutants or Contaminants.

This site demonstrates a threat to public health, welfare, and the environment because, unabated, storm water flowing from the site will continue to become contaminated with heavy metals. The site runoff flows approximately 300 yards via storm pipe into Moncrief Creek. Moncrief flows into Trout Creek then into the St Johns River. EPA identified, during a neighborhood walk of the upper reaches of Moncrief Creek, that it is used by the community for playing and fishing. Trout Creek and the St Johns River are used for commerce and recreation. Numerous endangered species of mammals, fish, and birds inhabit these waterways.

Ingesting very high levels of arsenic can result in death. Exposure to lower levels can cause nausea and vomiting, decreased production of red and white blood cells, abnormal heart rhythm, damage to blood vessels, and a sensation of "pins and needles" in hands and feet. Ingesting or breathing low levels of inorganic arsenic for a long time can cause a darkening of the skin and the appearance of small "corns" or "warts" on the palms, soles, and torso.

Drinking water that contains higher than normal levels of copper may nausea, vomiting, stomach cramps, or diarrhea. Intentionally high intakes of copper can cause liver and kidney damage and even death

The main health problems seen in animals following ingestion of chromium (VI) compounds are irritation and ulcers in the stomach and small intestine

and anemia. Chromium (III) compounds are much less toxic and do not appear to cause these problems. Sperm damage and damage to the male reproductive system have also been seen in laboratory animals exposed to chromium (VI). Skin contact with certain chromium (VI) compounds can cause skin ulcers. Some people are extremely sensitive to chromium (VI) or chromium (III). Allergic reactions consisting of severe redness and swelling of the skin have been noted

B. Check applicable factors (from 40 CFR 300.415) which were considered in determining the appropriateness of a removal action:

_X_ Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)];
_X_ Actual or potential contamination of drinking water supplies or sensitive ecosystems [300.415(b)(2)(ii)];
_X_ Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415(b)(2)(iii)];
_X_ High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate [300.415(b)(2)(iv)];
_X_ Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415(b)(2)(v)];
___ Threat of fire or explosion [300.415(b)(2)(vi)];
_X_ The availability of other appropriate federal or state response mechanisms to respond to the release [300.415(b)(2)(vii)] (None available);
___ Other situations or factors that may pose threats to the public health or welfare of the United States or the environment [300.415(b)(2)(viii)].

IV. Endangerment Determination

Actual or threatened releases of hazardous substances from this site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. Selected Removal Action and Estimated Costs

A. Situation and Removal Activities to Date

1. Current Situation.
   Currently the site is inactive, other than the secured creditor removing items of value such as treated wood, raw materials, and equipment. With every rain event water flows from the drip pad into the process area which

is contaminated with the CCA waste. A 1 inch rain event yields an estimated 9,000 gallons of contaminated water. Left unchecked, this water will overtop the containment structure and flow via the site lagoon and ultimately off site. Initial response activity has captured the contaminated water and is currently storing it in frac tanks on site. There are currently nine 22,000 gallons frac tanks filled with contaminated CCA water on site. With each rain event, EPA directs ERRS contractor WRS to remove the contaminated water from the containment structure and store it in tanks on site. EPA also has removed the gross contamination from the drip pad and majority of the containment structure by pressure washing.

2. Removal activities by others to date:
While the facility was active, the FDEP RCRA Program directed the operators to conduct a study to determine the extent of contamination due to the history of the CCA process and incidental spills. Contamination was identified throughout all of the gravel or grassed areas on site, and on adjacent residential and school property down gradient of the site. FDEP mandated the facility operator to construct an intercept drainage ditch and detention pond (lagoon) along the north and western boundaries to minimize any further overland flow from the site. They also directed the operator to remove the surface soil contamination from the school play ground. These measures appear to be extremely effective in halting lateral migration of the contaminants from the site.

3. Enforcement
Region 4 Counsel is pursuing the operator and property owner to determine whether they can mount an effective removal effort.

B. Planned Removal Actions

1. Proposed action description
Several actions need to be taken in order to stabilize this site until a more comprehensive evaluation can be made. First, the practice of removing contaminated storm water after each rain event must continue. Second, a treatment process must be constructed on site to process the estimated 400,000 gallons of water. Third the sludge that has collected in the detention lagoon must be removed and treated. Last, the sludges that have been scraped and contained in drums must be appropriately treated and disposed. Treated waste water is intended to be discharged to the JEA POTW. Treated sludge that meets land ban requirements will be landfilled in a CERCLA approved landfill. Sludge that cannot meet the land ban requirements will be sent off site for appropriate treatment and disposal.

2. Contribution to remedial performance

The proposed actions will, to the extent practicable, contribute to the efficient performance of any long-term remedial action at the site.

3. ARARs
   ARARs discussed this emergency phase include the requirement that site process sludge will need to be handled as F035 waste. The JEA waste water authority has provided industrial pretreatment numbers that limit the concentration of inorganics that they will allow in the effluent.

4. Project Schedule
   The emergency stabilization measures outlined above are estimated to be completed within 90 days..

C. Estimated Costs

START Costs (staff, travel, equipment)	**30,000**
ERRS Costs (staff, travel, equipment)	**200,000**
Other Extramural Costs (Strike Team, other Fed Agencies)	
Contingency costs (20% of subtotal)	**20,000**
Total Removal Project Ceiling	**250,000**

VI. Expected Change in the Situation Should Action Be Delayed or Not Taken

A delay in action or no action at this Site would increase the actual or potential threats to the public health and/or the environment.

VII. Outstanding Policy Issues

None

VIII. Approvals

This decision document represents the selected removal action for this Site, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. This decision is based on the administrative record for the Site.

Conditions at the site meet the NCP section 300.415(b)(2) factors for a removal action and through this document, I am approving the proposed removal actions. The total project ceiling is $250,000, of which, $200,000 will be funded from the Regional removal allowance.

Rick Jardine
Federal On-Scene Coordinator

8 SEP 10
Date